

Applicants : Barry W. Hutzet et al.
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Remarks:

The amendments and remarks presented herein are believed to be fully responsive to the Final Office Action dated July 23, 2010. Claims 1-10, 15, 17, 20-22, 32, 58-60 and 62-68 are pending in the application.

CLAIM REJECTIONS

Claims 1-10, 15, 17, 20-22, 32, 58-60 and 62-68 were rejected under 35 U.S.C. §103(a) as being unpatentable in view of Baratono et al., U.S. Patent No. 6,889,064, in view of Bertagna, U.S. Patent Publication No. 2001/0043455, and Schofield et al., U.S. Patent No. 6,690,268.

Applicants respectfully traverse the rejections under 35 U.S.C. §103.

Schofield is Not Prior Art to the Claims of the Present Application:

The present application is a 371 national phase application of PCT Application No. PCT/US2003/040611, filed December 19, 2003, which claims priority of U.S. provisional applications, Serial No. 60/435,554, filed December 20, 2002; Serial No. 60/439,626, filed January 13, 2003; Serial No. 60/489,812, filed July 24, 2003; and Serial No. 60/492,225, filed August 1, 2003, and the present application is a continuation-in-part of U.S. patent application, Serial No. 10/755,915, filed January 13, 2004, now U.S. Patent No. 7,446,650, which is a continuation of U.S. patent application, Serial No. 09/793,002, filed February 26, 2001, now U.S. Patent No. 6,690,268, which claims benefit of U.S. provisional applications, Serial No. 60/263,680, filed January 23, 2001; Serial No. 60/243,986, filed October 27, 2000; Serial No. 60/238,483, filed October 6, 2000; Serial No. 60/237,077, filed September 30, 2000; Serial No. 60/234,412, filed September 21, 2000; Serial No. 60/218,336, filed July 14, 2000; and Serial No. 60/186,520, filed March 2, 2000.

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Thus, the present application claims priority back to Schofield et al., U.S. Patent No. 6,690,268.

Accordingly, Schofield et al., U.S. Patent No. 6,690,268, cannot be cited as prior art to the claims of the present application. Reconsideration and withdrawal of the rejections of claims 1-10, 15, 17, 20-22, 32, 58-60 and 62-68 is respectfully requested.

Claims 1-10, 15, 17, 20-22, 32, 58-60 and 62-68 remain pending in the application. Applicants respectfully submit that claims 1-10, 15, 17, 20-22, 32, 58-60 and 62-68 are in condition for allowance and a notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

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